

# HOUSE BILL 1102

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By: **Delegates Niemann, Benson, Frush, Healey, Holmes, Ivey, Ramirez, and Vaughn**

Introduced and read first time: February 17, 2010

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Bookstores Purchasing Used Textbooks – Required**  
3 **Records**

4 FOR the purpose of requiring the owner or operator of a bookstore that purchases used  
5 textbooks from a person to make a certain written record if the transaction is for  
6 a certain amount or more; requiring certain bookstores to verify the identity of  
7 certain sellers in a certain manner; requiring certain bookstores to keep certain  
8 records of certain transactions; providing that a person who violates this Act is  
9 guilty of a misdemeanor and on conviction is subject to a certain penalty;  
10 defining a certain term; and generally relating to the purchase of used textbooks  
11 by a bookstore.

12 BY adding to

13 Article – Business Regulation

14 Section 19–601 to be under the new subtitle “Subtitle 6. Used Textbooks”

15 Annotated Code of Maryland

16 (2004 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Business Regulation**

20 **SUBTITLE 6. USED TEXTBOOKS.**

21 **19–601.**

22 **(A) IN THIS SECTION, “BOOKSTORE” MEANS A BUSINESS ENTITY THAT**  
23 **IS IN THE BUSINESS OF PURCHASING AND SELLING USED TEXTBOOKS.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) THE OWNER OR OPERATOR OF A BOOKSTORE THAT PURCHASES**  
2 **USED TEXTBOOKS FROM A PERSON SHALL MAKE A WRITTEN RECORD OF EACH**  
3 **TRANSACTION IN WHICH THE BOOKSTORE PURCHASES ONE OR MORE USED**  
4 **TEXTBOOKS FOR A TOTAL OF \$50 OR MORE.**

5           **(C) FOR EACH TRANSACTION SUBJECT TO SUBSECTION (B) OF THIS**  
6 **SECTION, THE OWNER OR OPERATOR OF THE BOOKSTORE SHALL:**

7                   **(1) VERIFY THE SELLER'S IDENTITY BY A DRIVER'S LICENSE OR**  
8 **OTHER GOVERNMENT-ISSUED IDENTIFICATION; AND**

9                   **(2) MAKE A RECORD OF EACH TRANSACTION THAT INCLUDES:**

10                           **(I) THE NAME AND ADDRESS OF THE PERSON SELLING THE**  
11 **USED TEXTBOOKS;**

12                           **(II) THE SELLER'S DRIVER'S LICENSE NUMBER OR**  
13 **IDENTIFICATION NUMBER ON OTHER GOVERNMENT-ISSUED IDENTIFICATION;**

14                           **(III) A DESCRIPTION OF THE TEXTBOOKS SOLD; AND**

15                           **(IV) THE DATE OF THE TRANSACTION.**

16           **(D) THE OWNER OR OPERATOR OF THE BOOKSTORE SHALL KEEP THE**  
17 **RECORDS REQUIRED BY THIS SECTION FOR AT LEAST 2 YEARS AFTER THE DATE**  
18 **OF PURCHASE.**

19           **(E) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**  
20 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**  
21 **EXCEEDING 60 DAYS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2010.